

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT TACOMA

4 WILLIAM SMITH,

5 Plaintiff,

6 v.

7 PATRICK GLEBE, ELTON VAIL,
8 DAN PACHOLKE, DAN VAN OGLE,
9 SEAN MURPHY, STEVE HAMMOND,
10 KERRI McTARSNEY, DENNIS
11 DAHNE, TAMMY NIKULA, DAMON
12 GORTON, KATHY RENINGER,
13 JOSEPH LOPIN, GARY FLETCHER,
14 CATHERINE BAUM, WILLIAM
15 ROLLINS, RODOLFO TREVINO,
16 RANDY PIERCE, and DEPARTMENT
17 OF CORRECTIONS,

18 Defendants.

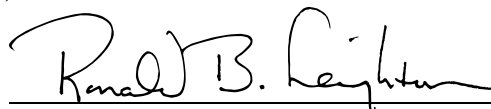
No. C11-5401 RBL/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

19 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
20 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
21 does hereby find and **ORDER:**

- 22 1) The Court adopts the Report and Recommendation.
- 23 2) Plaintiff's Motion for Summary Judgment (ECF No. 63) is DENIED;
24 Defendants' Motion for Summary Judgment (ECF No. 64) is **GRANTED**;
25 Plaintiff's claims are **Dismissed without Prejudice**.
- 26 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
Defendant and to the Hon. Karen L. Strombom.

DATED this 18th day of May, 2012.



Ronald B. Leighton
United States District Judge